

GENERAL SERVICES ADMINISTRATION (GSA) RETROSPECTIVE REVIEW
OF EXISTING RULES – STATUS UPDATE
(July 2015 Updated)

Agency	Sub-Agency	Title of Initiative	RIN/OMB Control Number	Summary of Initiative	Status of Initiative - New to this update, Ongoing, or Completed	Target Completion Date (If completed, please add the publication date and cite in Federal Register for example)	Does the initiative include regulatory flexibilities such as pilot projects, safe harbor exceptions, sunset provisions, trigger provisions, streamlined requirements, state flexibilities, or other similar strategies?	What methods will you engage in to Identify Improvements (public comment, analyses, third party assessments, etc.)? Please identify all that apply	If available, anticipated or realized savings in costs and/or burdens and anticipated or realized changes in benefits
GSA	Office of Government-wide Policy	GSAR Part 536; Update Construction Contracting	N/A	Several GSAR cases are being pursued to update GSAR Part 536, Construction Contracting.	New - Under Development	80 FR 6944 (withdrawn)	N/A	Public and agency comments	Remove outdated regulations and provide additional guidance to GSA personnel for construction contracting.
GSA	Office of Government-wide Policy	FTR Case 2015-XXX; Optimal Use of the Government Contractor- Issued Travel Charge Card	TBD	Update 41 CFR Parts 301-51 and 301-70 for the use of SmartPay® Travel charge card requirements and exceptions.	New - Under Development	NPRM: 09/30/2015 FINAL: 12/31/2015	No	Government-wide Travel Advisory Committee; Public and agency comments.	Currently a significant number of transactions are not charged on the government issued charge card and reducing this number has the potential to save up to \$1 million in charge card rebates.
GSA	Office of Government-wide Policy	FTR Case 2015-XXX; FTR General Administrative Update – TDY	TBD	Update numerous TDY provisions based on administrative changes, case holdings, and agency review.	New - Under Development	NPRM: 09/30/2015 FINAL: 12/31/2015	No	Public and agency comments	The purpose of this is for accuracy with current statute and case law, not cost savings.
GSA	Office of Government-wide Policy	FTR Case 2015-XXX; Payment in-kind/Purpose Codes	TBD	Update 41 CFR Parts 300-3, 304-3, and App. C to Chapter 301, with regards to definitions, purpose codes, and in-kind payments to speakers at meetings and events.	New - Under Development	NPRM: 09/30/2015 FINAL: 12/31/2015	No	Government-wide Travel Advisory Committee; Public and agency comments	Increase efficiency, consistency, and transparency of reporting conferences and other purposes of travel by Government employees. The estimated savings is undetermined, although this should reduce administrative burden for attendance of scientific conferences as well as enhance the mission of STEM related employees.
GSA	Office of Government-wide Policy	FTR Case 2015-XXX; General Administrative Update - Relocation	TBD	Update numerous relocation provisions based on administrative changes, case holdings, and agency review.	New - Under Development	NPRM: 09/30/2015 FINAL: 12/31/2015	No	Public and agency comments	The purpose of this is for accuracy with current statute and case law, not cost savings.
GSA	Office of Government-wide Policy	FMR 102-192; Mail Management Regulation for Agencies	TBD	Although regulation was updated June 2014, customer feedback indicates new review and revision is needed as part of ongoing retrospective review.	New - Under Development	NPRM: 6/1/2019 FINAL: 5/30/2020	No	Feedback received from agencies Federal Mail Executive Council and Interagency Policy Council members) and OGP customer survey.	Regulation to be reviewed for improvements as part of retrospective review. Will determine cost/benefit approximately up to 3 years after implementation of the final rule.

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GSA	Office of Government-wide Policy	FTR Case 2015-XXX; Per Diem Meals Allocation FTR	TBD	Update 41 CFR Part 301-11-18 by removing the breakdown table for the meals and incidental expenses (M&IE) portion of the per diem allowance. The table will continue to be published on GSA's website and any changes to the rates will be publicized via FTR Bulletins.	New - Under Development	NPRM: N/A FINAL: 09/30/2015	No	N/A	Update will improve efficiencies and reduce costs by avoiding continuous updates to the FTR through traditional rulemaking processes as regulatory bulletins and updates to the GSA website for this purpose will suffice. Estimated administrative cost avoidance of \$100,000 every time the meal rates are updated.
GSA	Office of Government-wide Policy	FMR 102-78; Historic Preservation	TBD	Clarifies policies to manage, maintain, and dispose of historic buildings and implements policies in Executive Orders.	New - Under Development	NPRM: 10/30/2015 FINAL: 2/28/2016	No	Public comment and collaborative dialogue with industry.	Updates are expected to lead to more consistent compliance with NHPA, Executive Orders 13287 and 13006, and other related laws and directives. The purpose is to provide accuracy with current statutes and Executive Orders and not cost savings.
GSA	Office of Government-wide Policy	FMR 102-77; Arts in Architecture	TBD	Sets forth guidance on how GSA commissions artwork and facilitates participation by a large diverse group of living American artists for federal buildings.	New - Under Development	NPRM: 9/30/2015 FINAL: 12/30/2015	No	Public comment and collaborative dialogue with industry.	Updating the FMR to reflect the current program. The purpose is to provide consistency with current statutes or policies and not cost savings.
GSA	Office of Government-wide Policy	FMR 102-41; Seized, forfeited, abandoned property	TBD	Reviewed and revised as part of ongoing retrospective review. During customer and stakeholder engagement discussions, there was no immediate need to make changes to this policy.	New - Under Development	NPRM: 12/31/2015 FINAL: 6/30/2016	No	Public comment, Interagency council review, and customer engagement.	Anticipated Benefits: Improved policy leading to enhanced Federal activity and ease of use to customers. Will determine cost/benefit if there are changes to the rule. No immediate cost savings are quantifiable.
GSA	Office of Government-wide Policy	FMR 102-38; Sales of Federal Property	TBD	Regulation was withdrawn from publication due to consideration of new policy of greater centralization of policy.	New - Under Development	NPRM: 12/31/2015 FINAL: 6/30/2016	No	Public comment, Interagency council review, and customer engagement.	Anticipated Benefits: Improved policy leading to enhanced Federal activity and ease of use to customers. The purpose of this is for consistency with current statute or Administration/Management Agenda policy and not to provide cost savings.
GSA	Office of Government-wide Policy	FMR 102-35; General Asset Disposal	TBD	Rule provides general overview of disposal policies. During customer and stakeholder engagement discussions, there was no immediate need to make changes to this policy.	New - Under Development	NPRM: 6/30/2016 FINAL: 12/31/2016	No	Public comment, Interagency council review, and customer engagement.	Anticipated Benefits: Improved policy leading to enhanced Federal activity and ease of use to customers. Will determine cost/benefit if there are changes to the rule. No immediate cost savings are quantifiable.
GSA	Office of Government-wide Policy	FMR 102-118: Transportation Payment and Audit, Subparts include B- Ordering and Paying for Transportation and Transportation Services; Subpart C- Use of Government Billing Documents; F- Claims and Appeal Procedures; and review Subpart A	TBD	FMR Proposed Amendment clarifies agencies transportation payment and audit requirements. The FMR is written in plain language to provide agencies with updated regulatory material that is easy to read and understand. Revision of 102-118 is being completed in two phases. This is the second phase.	New - Under Development	NPRM: 4/30/2016 FINAL: 10/31/2016	No	Interagency working group input, Governmentwide Transportation Policy Council input, Legal Counsel and public comment.	Anticipated Benefits: Clarifies agencies transportation payment and audit requirements. Will determine cost/benefit up to 3 years after implementation of the final rule.
GSA	Office of Government-wide Policy	FMR 102-117; Transportation Management	TBD	The FMR is written in plain language to provide agencies with updated regulatory material that is easy to read and understand. Revision of 102-117 will be completed in two phases.	New - Under Development	NPRM: 6/1/2017 FINAL: 5/30/2018	No	Interagency working group input, Governmentwide Transportation Policy Council input, Legal Counsel and public comment.	Regulation to be reviewed for improvements as part of retrospective review. Will determine cost/benefit approximately up to 3 years after implementation of the final rule.

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GSA	Office of Government-wide Policy	FMR Case 2015-102-1; Mail Management Reporting Deadline	3090-AJ58	Feedback received from OGP customer survey indicates current annual reporting deadline of 10/31 is problematic for agencies. Recommend change reporting date annually to December 1 with details issued in bulletin.	New - Under Development	8/1/2015	No	Feedback received from agencies Federal Mail Executive Council and Interagency Policy Council members) and OGP customer survey.	Anticipated benefits: The later reporting date will allow us to leave system open for longer time creating less of a burden on agencies, fewer conflicts with other end of year requirements and more complete and accurate reporting.
GSA	Office of Government-wide Policy	FMR 2015-102-2: Transportation Payment and Audit	3090-AJ59	FMR Proposed Amendment clarifies agencies transportation payment and audit requirements. The FMR is written in plain language to provide agencies with updated regulatory material that is easy to read and understand. Revision of 102-118 is being completed in two phases. This first phase focuses on Subparts A (General), D (Prepayment Audits of Transportation Services), and E (Postpayment Transportation Audits). GSA is also proposing to amend relevant definitions in part 102-117, as a result of these proposed amendments to part 102-118.	New - Under Development	NPRM: 9/30/15 FINAL: 6/1/16	No	Interagency working group input, Governmentwide Transportation Policy Council input, Legal Counsel and public comment.	Updated regulations convey information more clearly and accurately. Will determine cost/benefit up to 3 years after implementation of the final rule.
GSA	Office of Government-wide Policy	GSAR Case 2013-G504; Transactional Data Reporting	3090-AJ51	Revises GSA contract clauses to require vendors to electronically report the price the federal government paid for an item or service bought through GSA acquisition vehicles, producing market intelligence that GSA and its partner agencies can use to make cost-effective acquisition decisions and save even more taxpayer dollars. For the Multiple Award Schedules (MAS) program, GSA would introduce the transactional data reporting requirement in phases, beginning with a pilot of select products and commoditized services. As a part of this pilot, GSA would remove burdensome tracking and reporting requirements from the price reduction clause.	Ongoing - Proposed rule published. Public Meeting held on 4/17/2015	NPRM: Published at 80 FR 11619 on 3/4/15 Extended comments due date May 6, 2015 to May 11, 2015 FR 25994 FINAL: 1/19/2016	Pilot of select products and commoditized services	Public comment, public meeting, and collaborative dialogue with industry	Reduce burden on contractors by 85 percent, \$51 million annually, and over 757,000 hours. GSA is currently evaluating approximately 150 pages of public comments in response to the proposed rule. GSA has categorized the public comments received both from the public meeting and the proposed rule in major themes. GSA is currently evaluating these major themes and developing options to address comments received. Once GSA completes its analysis of major themes, GSA will work closely with the Office of Federal Procurement Policy (OFPP) as well as OIRA in development of the final rule. GSA anticipates presenting its initial analysis of public comments received to OFPP in the beginning of September.
GSA	Office of Government-wide Policy	GSAR Case 2013-G502; Federal Supply Schedules: Administrative Changes	3090-AJ41	Provides the public an opportunity to comment on 35 provisions and clauses already used in Federal Supply Schedules contracts by putting them through the rulemaking process. Allowing public comment on these provisions and clauses may reveal unnecessary requirements that can be removed from FSS procurements and thus reduce burden on contractors.	Ongoing	NPRM: Published at 79 FR 54126 on 9/10/14 Extended comment period due date 79 FR 64356 10/29/14 FINAL: 11/2016	No	Public and agency comment	Allows a baseline of burden to be calculated for requirements that previously never received public input. Also allows the potential to eliminate duplicative or unnecessary processes from FSS contracts.
GSA	Office of Government-wide Policy	FPMR Case 2014-101-1; FMR Case 2014-102-2; Supply and Procurement	3090-AJ50	Migrating the FPMR policy on Supply and Procurement to the FMR; this is the first installment.	Ongoing	NPRM: Published at 80 FR 9679 on 02/24/2015 FINAL: 9/30/2015	No	Public comment, Interagency council review, and customer engagement.	Anticipated Benefits: Streamlining and reducing regulatory burden on agencies in migrating FPMR subchapter E to the FMR; removing overly prescriptive or outdated policies. This is to provide currency with statute or other policy and not for cost savings.

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GSA	Office of Government-wide Policy	GSAR Case 2007-G500; GSAR Part 517-Special Contracting Methods	3090-AI51	Revises the GSAR to: maintain consistency with the FAR, revise language to make it clearer, update statutory citations, and delete obsolete language.	Ongoing	NPRM: Published at 73 FR 32274 on 6/6/08 and 80 FR 34126 on 6/15/15 FINAL: 2/26/16	No	Public and agency comments	N/A
GSA	Office of Government-wide Policy	GSAR Case 2010-G511; Federal Supply Schedules: Purchasing by Non-Federal Entities	3090-AJ43	Updates the GSAR to implement a number of statutory provisions to provide increased access to GSA's Schedules. Specifically, updates GSAR part 511 to implement the Federal Supply Schedules Usage Act of 2010, the Native American Housing and Self-Determination Reauthorization Act of 2008, the John Warner National Defense Authorization Act for Fiscal Year 2007, and the Local Preparedness Acquisition Act for Fiscal Year 2008 and updates GSAR part 538 and GSAR part 552 in regard to this statutory implementation.	Ongoing	NPRM: Published at 79 FR 21691 on 4/17/14 FINAL: 10/5/2015	Contractors may opt in or out of the program	Public comment and collaborative dialogue with industry	N/A
GSA	Office of Government-wide Policy	FMR Case 2014-102-2; Transportation Management Reporting	3090-AJ45	FMR Final Rule recommends agencies annually submit to GSA their prior fiscal year transactional data for transportation for freight and cargo, including household goods (HHG), procured either through contract or tender, as well as their transportation management information.	Ongoing	NPRM: Published at 79 FR 41667 on 7/17/14 FINAL: 10/15/2015	No	Inter and intra agency working group, meetings with various stakeholders in GSA.	Clearer understanding of transportation spend government-wide, regulatory compliance, and areas for improvement (efficiency, effectiveness and sustainability). We hope to determine cost/benefit approximately 3 years after implementation of the final rule.
GSA	Office of Government-wide Policy	GSAR Case 2008-G506; Rewrite of GSAR Part 515, Contracting by Negotiation	3090-AI76	Revises the GSAR to: maintain consistency with the FAR, revise language to make it clearer, update statutory citations, and delete obsolete language.	Ongoing	NPRM: Published at 73 FR 57580 on 10/3/08 2nd NPRM: 8/10/15 FINAL: 4/29/2016	No	Public comments	N/A
GSA	Office of Government-wide Policy	FMR Case 2012-102-4; Disposal and Reporting of Federal Electronic Assets (FEA)(FMR 102-36)	3090-AJ30	Policy change incorporates new eWaste policy recommended by National Strategy for Electronic Stewardship (NSES); primarily requiring end-of-life disposal through a certified recycler. (GSA currently awaiting technical criteria from NSES agencies in accordance with consensus plan outlined in Strategy)	Ongoing - Final Rule Awaiting NSES Task Force criteria and then the subsequent publication and adjudication of the criteria.	NPRM: Published at 78 FR 12681 on 03/6/2014 FINAL: 06/30/2016	No	Public comment, Interagency council review, and customer engagement.	Anticipated Benefit: Directing Federal agencies to more sustainable use and disposal of electronics. No cost savings are immediately quantifiable.
GSA	Office of Government-wide Policy	GSAR Case 2014-G504; Unique Item Identification (UID)	3090-AJ53	Deleted clause 552.211-93, Unique Item Identification (UID) from the GSAR. The clause only applies to DoD assisted acquisitions and has been identified by DoD as unnecessary.	Completed	NPRM: Published at 80 FR 6037 on 2/4/15 FINAL: Published at 80 FR 28849 on 5/20/2015	No	Public comments	Reduces the administrative burden for contracting officers by eliminating unnecessary clauses and reducing implementation confusion.

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GSA	Office of Government-wide Policy	GSAR Case 2006–G506; Environmental, Conservation, Occupational Safety and Drug-Free Workplace	3090-AI82	Updated GSAR text and clauses (parts 523 and 552), regarding Hazardous Materials Identification and Material Safety Data.	Completed	NPRM: Published at 80 FR 8278 on 2/17/15 FINAL: Published at 80 FR 36248 on 6/24/2015	No	Public comments	N/A
GSA	Office of Government-wide Policy	FTR Case 2015-301; Temporary Duty (TDY) Travel allowances [Taxes; Relocation Allowances (Taxes)]	3090-AJ54	Updated 41 CFR Part 301-11 Subpart F (§§301-11.621 through 301- 11.628, and 301-11.631 through 301-11.640) that are no longer applicable for taxes on extended Temporary Duty (TDY) benefits.	Completed	NPRM: N/A FINAL: 03/20/2015 80 FR 14852	No	Agency comments	Updates errors that exist in the FTR.
GSA	Office of Government-wide Policy	FMR 102-40; Utilization and Disposition of Personal Property with Special Handling Requirements.	3090-AH21	Policy change updated and migrated policy from the Federal Property Management Regulations (FPMR).	Completed	NPRM: N/A FINAL: Published at 80 FR 7352 2/10/15	No	Public comment, Interagency council review, and customer engagement.	Anticipated Benefit: Updated and improved policy on Federal personal property assets requiring special handling when being disposed of. Benefits include enhanced health, welfare, safety, and stewardship of public and public assets. No cost savings are immediately quantifiable.
GSA	Office of Government-wide Policy	FTR Case 2014-302; Enhancement of Privately Owned Vehicle and Rental Vehicle Policy	3090-AJ48	Update FTR for privately owned vehicle (POV) mileage rate, requirements for usage of a POV during the TDY, and the requirements for using a rental car	Completed	NPRM: Published at 79 FR 62588 on 10/20/2014 FINAL: Published at 80 FR 27259 on 05/13/2015	No	Government-wide Travel Advisory Committee	GSA-FAS analysis of the DTMO rental car data indicated annual savings up to \$10 million annually.
GSA	Office of Government-wide Policy	FMR 102-42; FMR Case 2014-102-3; Utilization, Donation, and Disposal of Foreign Gifts and Decorations	3090-AJ49	Policy change addresses new method of publishing revisions to foreign gift minimal value, in order for GSA to meet statutory deadlines.	Completed	NPRM: N/A FINAL: Published at 80 FR 21189 4/17/2015	No	Public comment, Interagency council review, and customer engagement.	Anticipated Benefit: Streamlined Federal activity; Primary purpose of this regulation change is to allow GSA to publish changed "minimal value" rates via website publication vice formal rulemaking process.
GSA	Office of Government-wide Policy	FTR Case 2014-301; Terms and Definitions for "Marriage," "Spouse," and "Domestic Partnership"	3090-AJ44	Updated 41 CFR Part 300-3 by adding terms and definitions for "Marriage" and "Spouse," and revised the definition of "Domestic Partner" based upon Supreme Court ruling.	Completed – Final Rule issued under E.O. 12866 review	NPRM: Published at 79 FR 36279 on 6/26/2014 FINAL: 04/10/2015 80 FR 19238	No	Public and agency comments	Updated FTR based on Supreme Court ruling (<i>United States v. Windsor</i>). This amendment is for improving accuracy with current statutory requirements.